

NOTICE OF AGENCY RULE-MAKING PROPOSAL

AGENCY:

Department of Marine Resources

RULE TITLE OR SUBJECT: Chapter 45.05(1)(A)(2) Shrimp Season, 2003 – 2004

CONCISE SUMMARY: These proposed regulations would adopt, through the regular rule-making process, changes that become effective with the adoption of the emergency rules establishing the 2003– 2004 shrimp season. The proposed season would take place from January 19, 2004 to March 12, 2004 with Saturday and Sunday's closed. Mechanical (powered) shaking of shrimp aboard any vessel would be prohibited.

STATUTORY AUTHORITY: 12 M.R.S.A. §6171

PUBLIC HEARING: None scheduled; one may be requested

DEADLINE FOR COMMENTS: Friday, December 26, 2003

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Proposed regulation: Chapter 45 - Shrimp

45.05 Shrimp season

1. Shrimp Season ~~2002–2003~~2003-2004

A. Harvest and transport

(1) Closed season.

It shall be unlawful to fish for, or take by any method, or to land, ship, transport or possess any shrimp except during the period from December 1 through May 31 of any year.

(2) Fishing Season

(a) It is unlawful for any person or vessel fishing with nets or traps to fish for, take, land, transport or to have in possession any Northern Shrimp (*Pandalus borealis*) except between the following dates, inclusive:

i. ~~38-day season:~~

~~January 15, 2003 through February 27, 2003 inclusive with all Friday's between these dates being closed, which includes the dates of January 17, 24, 31 and February 7, 14 and 21, 2003.~~

(i) 40-day season:

January 19, 2004 through March 12, 2004 with all Saturday's and Sunday's between these dates closed, which includes the dates of January 24, 25, 31, February 1, 7, 8, 14, 15, 21, 22, 28, 29 and March 6 and 7, 2004.

(b) Unbaited shrimp traps must be removed from the water no later than 5 days after the season is closed and no shrimp may be retained from traps hauled after the close of the season.

(c) On closed days, it is unlawful to fish for or land any shrimp during the entire 24 hour day; and it shall be prima facie evidence that any shrimp landed or possessed by harvesters during that period were taken during a closed day.

(d) It shall be unlawful to cull, grade, separate or shake shrimp, aboard any vessel, except by implements operated solely by hand. It is illegal to possess, aboard any vessel, any powered mechanical device used to cull, grade, separate or shake shrimp.